

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

May 29, 2012

7:00 p.m.

Present: Kathy Pucci
Ron Van Kirk
Colleen Gallagher
Katie Gallagher
Kevin Tanski
Tom Murphy
Tony DeMarco

Absent: None

Pledge of Allegiance.

President DeMarco asked that the Agenda be amended to include the acceptance of a bid for the 2012 street repair program. **MOTION** by Murphy, second by Tanski to amend the Agenda. **VOTE RESULTED:** Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanksi, Murphy, DeMarco. No: None. **(AGENDA AMENDED)**

Swearing-in of Fire Fighter: Mayor Balbier, with Dir. Chessar and Chief Zemek, swore-in and administered the Oath of Office to Keith Calmer as a Fire Fighter.

DISPOSAL OF MINUTES:

MOTION by C.Gallagher, second by Van Kirk to approve the minutes of May 14, 2012, with corrections noted by Mrs. Pucci, on pages 2 and 3. **VOTE RESULTED:** *Approve as amended:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(APPROVED AS AMENDED).**

President DeMarco announced that there were technical difficulties for Time Warner residents for last meeting's broadcast, and those have been addressed. He also asked for a moment of silence for the passing of Kayla Allen, another victim of the Cracker Barrel incident.

PUBLIC SESSION:

Lou Changeri of 8972 Trail Run. Reminded everyone that school will be out June 6th and to be aware and on the watch for children/students and older persons crossing the streets.

Tom Adamski of 9625 Melody Lane. Addressed Chief Mielke, asking where the city is in regard to implementation of a reverse 9-1-1 system, in light of the past chemical issue along I-77. Chief Mielke responded that it has been looked into, but does not know why it has not been implemented, he is for it. But he has not been looking into it, nor has any information on it, or able to find any in his office. Dir. Verba said it was being looked into with a possible new phone system, but as there has been no updates, nothing further has occurred. Mrs. Pucci said she had brought it up in the past, asking for it, but the only thing instituted was the R U OK? program for seniors. Though no new phone system will be coming for this year, she wants us to check into the Reverse 9-1-1 and not to delay it any longer. President DeMarco asked Chief Mielke to look into it and get back to Council.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Chairman DeMarco): Met at 6:15. The Committee approved applying to Assistance to Fire Fighters grant and purchase of ancillary items for police vehicles; adoption of Ords. 2012-27 through 32

(total cost of \$169,824.65); adoption of Ords. 2012-38, -39, -40, -41, -42 and -43. Again announced meetings are at 6:30 unless otherwise noticed, and open to the public.

Public Safety & Environmental Committee (Chairman Murphy): Met on May 21st to discuss the Marquardt Park. There was no objection to the use of the park for soccer use, though objected to a parking lot, would like more police presence for illegal parking. A vote was taken that there will be no parking lot at Marquardt Park, and that an alternate location for soccer will be looked into.

Recreation Board (Councilman Tanski): Met on May 21st. Recommended to Council to repair Memorial 1 ballfield. The next meeting will be Sept. 17th at 6:30 in Mayor's Court.

Legislative Update/Domestic Violence/Juvenile Diversion (Councilwoman C. Gallagher): Met on May 23rd with guest Janet Kronenberg, manager of Dept. of Justice Affairs, Witness/Victim Service Center who spoke on the Cuyahoga County Defending Childhood Initiative. She cited some statistics from the group. She also sends thoughts and prayers to Ms. Kronenberg as she suffered a stroke days after the meeting.

Bd. of Zoning Appeals (Comm. Ockington): Rescheduled an appeal hearing for Sheetz, Inc. due to lack of full board for its June 21st meeting. The next meeting will be June 19th at 7 p.m. in Mayor's Court.

Economic Development Committee (Councilman DeMarco): Met May 25th, where a motion was made to Quit Claim two parcels of land owned by the city into the Community Improvement Corporation. One parcel is on Memphis, the other on West Biddulph. Also moved to put up for sale the vacant parcel of land on Memphis, with legislation for Council to follow.

Planning Commission (Councilwoman K.Gallagher): The June 7th meeting has been cancelled.

President DeMarco said he omitted from his Finance report that the Committee recommended Council accept approval for the road repairs for 2012, at a cost of \$822,620.50 (3% under the estimate.) Dir. Verba will give details on the streets in his report.

REPORTS OF COUNCIL:

Kathy Pucci: Congratulated new Fire Fighter Calmer. Hope Memorial Day services were enjoyed by all, she was unable to attend, and thanked everyone for their efforts (and employees of Recreation, Service, Police, Fire.) Safe Routes to School was awarded two grants; one for infrastructure improvements (\$174,000), and one for non-infrastructure (\$55,000.) She thanked Engineer Courtney and Ms. Ludwig for their assistance to her, and also the County Health Dept. and Brooklyn City Schools. Also attended Safety Comm. mtg. on Marquardt Park. Agree we need better communication between Rec Dept., teams and Police Dept., and step up on enforcement. There was also a question of parking passes for coaches, and asked the Chief to comment. The Strategic Planning work session went well, and she was elected Chair, and thanked her colleagues for that. Also thanked the directors and chiefs for their reports back to them on ways to reduce expenditures. Reminded people to not call former Brooklyn Animal Shelter members for animal related matters; the city's Animal Control Officer should be contacted at 216-635-4291, or non-emergency Police Dept. Told Chief Zemek she noticed a Parma Squad coming into city, and asked if we are tracking when they are called for mutual aid, and the reason for it. Chief Zemek said he has been tracking since he came to the city, and the call she noticed was a third call, the other two trucks were out.

Ron Van Kirk: Hopes all enjoyed Memorial Day. Also attended the Safety Comm. mtg., where many residents were in attendance and voiced their concerns and offered ideas, with the conclusion of no parking lot will be put there, and parking enforced more. He was encouraged by the dialogue, and wished for that in the future for other issues facing the city. Also felt the Strategic Planning session went well, and thanked the directors and chiefs and the Mayor for their hard work. Announced free haircuts on June 16th at Inge's (8471 Memphis Avenue, 216-741-6625) from 11 a.m. to 6 p.m., with proceeds of any donations to the American Cancer Society's Relay for Life. Said he has gone back and forth on the anti-poaching agreement issue. He feels it appears to be somewhat of a political move, and doesn't see a benefit to signing an agreement that has no teeth. But he also feels it shows a spirit of cooperation with other cities in the county, and also does not see a downside, as we could bow out of the agreement at any time. But recent events have come to light causing him to cast serious doubts on intentions of the agreement. Had a conversation in FitzGerald's office

and expressed his concerns it was a strong-arm attempt to sign on for various reasons, was told it was not the case, but doubts have been cast in his mind now. He will be voting no on the agreement.

Colleen Gallagher: Condolences to family of Heather Flores. Congratulated new fire fighter Calmer. Thanks to Directors Verba and Ockington on responses to complaints. Attended ribbon cutting at Valu King, and thanked everyone who came out to support. Attended Strategic Planning meeting, and thanked all department heads for suggestions on reducing budgets and regionalization ideas, especially Dir. Verba and Mgr. McGinty. Country music artist Josh Turner will appear June 4th 11-1 p.m. at Cracker Barrel. Thanks to Key Bank employees who volunteered to spruce up Memorial Park.

Katie Gallagher: Also welcomed Mr. Calmer to Fire Dept. Also pleased that Valu King off to a strong start. Spoke to one of owners at Ridge Park Square, and was informed all the stores there are now occupied. While there is increased traffic, the city will continue to monitor for safety and efficient traffic patterns. Included in her monthly newsletter pictures of the flowers in Veteran's Memorial Park, a donation of time and money from VFW and Laurel Garden Club. Thanks to all who made the ceremonies memorial this weekend. In current Cleveland Magazine's 'Rating the Suburbs', it's noticed our city's owner/occupier rate has dipped to 58.7%, raising concerns to be attractive to buyers, and ensure owners of rental properties continue to maintain their properties. Will provide Bldg. Comm. and Law Dir. with information for a possible ordinance to ensure these properties are maintained. Thanked all directors for reports for Strategic Planning Comm.

Kevin Tanski: Thanked Mgr. McGinty for her correction on dates of Rec Board recess. Sustainability Advisory Committee held May 23rd, where Dir. Verba introduced Mr. Whitby of Lake Erie Electric who gave energy options for the city to members, and spoke on pros and cons of solar and wind energy. Discussion continued on grants and financing. Further information will be obtained for the next meeting, Wednesday, June 20th at 3:30 in the conference room. Thanked Comm. Ockington for inspections properties on maintenance violations and keeping him informed. Told residents to notify any Councilmember or the Building Department for unkempt properties.

Tom Murphy: No report.

Tony DeMarco: Thanked everyone that helped with the parade.

MAYOR'S REPORT:

Mayor Balbier: Regarding the parade, added thanks to the Laurel Garden Club and VFW for the flowers, the Girl and Boy Scouts, and Key Bank (for cleaning the Cpl. Knight Commons area). Also commented on the Safe Routes to Schools grant received. Read a flyer for Brooklyn High School Basketball and Band Night at Progressive Field on Sept. 29th at 7 p.m., field box tickets at reduced price, information at Reception desk and at High School. Last week gave his annual local government talk to all third graders. Informed again about the Heritage Program from the county for low interest loan for qualifying homeowners, information at Reception desk. There will be a clean-up of Big Creek Saturday from 9-noon, starting behind the Fire Station. The Laurel Garden Club has a plant sale on June 14th 4-7 p.m. in the park pavilion. Thursday he will attend the annual Mayor's Association meeting, where it is anticipated there will be discussions on the proposed monies from the casino to go to the City of Cleveland, and inner ring suburbs seeking a portion. Read a letter from a resident commending Dir. Verba and the Service Dept. of coming to her assistance with a tree that affected her telephone service.

DIRECTORS' REPORTS:

Rec. Mgr. McGinty: Reported that for April, Silver Sneakers took in \$1,106. Registration still being taken for Day Camp, youth dance, learn to swim and learn to skate at the Rec Center. Wanted Mrs. Pucci to know that communication between herself, Chief Mielke and the soccer representative has been ongoing, dealing with parking and Marquardt Park.

Police Chief Mielke addressed Mrs. Pucci regarding the parking situation at Marquardt, stating that in light of the recent Safety Comm. mtg., patrols have been stepped up, and the Dept. is working with the Rec Dept on times of events. Also discussed was handicapped parking, and also on Rec employees parking or planning to drive on the field to drop off equipment for use. There was additional discussion on this matter.

Service Dir. Verba: Also thanked the Brooklyn VFW for the donation of flowers and the Laurel Garden Club for planting them. Gave a special thanks to Marie Torino for the preparation of the parade and festivities, having taken over this year. Also thanked the Recreation and Service Department workers for their hard work getting the grounds ready for Memorial Day. In regard to the street program: Beech, Morton, Brookwood, Glencoe-east of Ridge, and Traymore-west of Ridge will be getting resurfaced. A pre-construction meeting will be held and next Council meeting an update should be announced for project start. President DeMarco asked if the homeowners on Glencoe and Traymore will as part of the project be provided with new aprons, and Dir. Verba said that is correct, as will Beech and Morton get new aprons.

AUTHORIZATION REQUEST:

From Chief Zemek: Request for permission to apply for a grant through the Assistance to Fire Fighters Grant Program. For new self-contained breathing apparatus (\$130,000) and new fire engine (\$400,000), with the city's share being 5-10% of cost if awarded. **MOTION** by Pucci, second by Van Kirk to authorize application of the grant. **VOTE RESULTED:** *Authorize:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(AUTHORIZED)**

From Chief Mielke: Request for permission to purchase ancillary equipment for new police vehicles (total \$10,500) (vehicles authorized by Ord. 2012-43). **MOTION** by Pucci, second by C.Gallagher to approve. **VOTE RESULTED:** *Approve:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(AUTHORIZED)**

From Dir. Verba: Request acceptance of bids for the 2012 Repair and Resurfacing of Various Streets. Engineer's estimate was \$848,125; with the lowest and best bid from Konstruction King in the amount of \$822,620.50. (Section 1 & 1A, \$664,348; Section 2 & 2A, \$158,272.52) The bid is 3% below the engineer's estimate. **MOTION** by DeMarco, second by Tanski to approve the bid. **VOTE RESULTED:** *Approve:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(AUTHORIZED)**

LEGISLATION:

RESOLUTION #2012-1 (3rd Reading/Adoption): A Resolution of support authorizing the Mayor to enter into an agreement on behalf of the City of Brooklyn with Cuyahoga County for the purpose of establishing an Anti-Poaching Protocol. President DeMarco reemphasized previous comments that there is not a lot of benefit to this, feeling the county is trying to control economic development. Also the County Executive admits it's not the best document, and he feels a good agreement should be put forth, and this is political symbolism, especially since an article mentioned the County Executive could be pursuing the Governorship, and is this position just a stepping stone. He will not support the Resolution. Mrs. Pucci said that again she has mixed feelings about this, and with the information that came to light from Mr. Van Kirk, she would like to have time to check into it. She would not object to tabling it till the next meeting. **MOTION** by Tanski, second by Van Kirk to Table. **VOTE RESULTED:** *Table:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(TABLED)**

ORDINANCE 2012-27 (2nd Reading): Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the AFSCME Ohio Council 8, AFL-CIO Local 3218 bargaining unit. Ms. K.Gallagher asked if we were able to break down the ordinances as was asked in the Finance meeting. Dir. Esarey said that in total was budgeted \$153,858.73; if the bonus is approved it would be \$169,824.65. For AFSCME it is \$10,239.20; for Laborers, \$41,772.63; for Fire Fighters, \$50,009.85; for Police and Sergeants, \$56,771.46; for Jailers, \$1,575.93; and for Dispatchers, \$9,455.58. **MOTION** by DeMarco, second by Pucci to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. *Adopt:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2012-28 (2ND Reading): Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Municipal Foremen and Laborers Union Local 1099 bargaining unit. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. *Adopt:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2012-29 (2ND Reading): Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the International Association of Firefighters Local 1145 bargaining unit. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. *Adopt:* Yes: Pucci, Tanski, Murphy, DeMarco. Abstain: C.Gallagher, K.Gallagher. (stated relative on force) No: Van Kirk. **(ADOPTED)**

ORDINANCE 2012-30 (2ND Reading): Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Ohio Patrolmen's Benevolent Association – Patrol and Sergeants bargaining unit. **MOTION** by Pucci, second by C.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. *Adopt:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2012-31 (2ND Reading): Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Ohio Patrolmen's Benevolent Association – Jailers bargaining unit. **MOTION** by Pucci, second by C.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. *Adopt:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2012-32 (2ND Reading): Authorizing the Mayor of the City of Brooklyn, Ohio to pay a bonus of 2.5% as additional compensation for 2012 to members of the Ohio Patrolmen's Benevolent Association – Dispatchers bargaining unit. **MOTION** by C.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. *Adopt:* Yes: Pucci, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: Van Kirk. **(ADOPTED)**

ORDINANCE 2012-38: Amending Ord. 2008-64 entitled, 'Establishing fees for participating in the City of Brooklyn Recreation Department Youth Soccer Program.' **MOTION** by Pucci, second by C.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. *Adopt:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADOPTED)**

ORDINANCE 2012-39: Authorizing the mayor to enter into agreements with Civil & Environmental Consultants, Inc. (CEC, Inc) to provide services for the Sanitary Landfill, in an amount not to exceed \$27,368.00. **MOTION** by Pucci, second by C.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. *Adopt:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADOPTED)**

ORDINANCE 2012-40: Authorizing inter-fund transfers and advances during 2012. (Transfer of \$1,697,000 from General Fund to Bond Retirement for payoff of 2011 Bond Anticipation Notes, and June 1, 2012 interest payment on 1999 and 2006 bonds) **MOTION** by Pucci, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. *Adopt:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADOPTED)**

ORDINANCE 2012-41: Authorizing the purchase of toters and related accessories for use in the automated refuse collection program. (Total price of \$197,946.) **MOTION** by C.Gallagher, second by DeMarco to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Van Kirk, C.Gallagher,

K.Gallagher, Tanski, Murphy, DeMarco. No: None. *Adopt:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADOPTED)**

ORDINANCE 2012-42: Authorizing the purchase of cash register equipment and supplies for use by the Recreation Department. (Total cost of \$3,014.) **MOTION** by Pucci, second by K.Gallagher to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. *Adopt:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADOPTED)**

ORDINANCE 2012-43: Authorizing the purchase of two 2013 vehicles for use by the Brooklyn Police Department. (Total cost of \$62,800) **MOTION** by C.Gallagher, second by Pucci to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. *Adopt:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADOPTED)**

The Mayor thanked the Council for passing the Ordinances relating to the unions. He said this bonus is not a raise, so it saves the city money, it's a one-time deal. Mr. Tanski asked the Mayor when he attends the Mayors meeting in regard to the casino money to stress the sharing with suburbs of the monies.

MOTION by Pucci, second by C.Gallagher to adjourn. **VOTE RESULTED:** *Adjourn:* Yes: Pucci, Van Kirk, C.Gallagher, K.Gallagher, Tanski, Murphy, DeMarco. No: None. **(ADJOURNED)**

Asst. Clerk of Council

President of Council